

WILMERHALE

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BY ECF

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The Honorable Vernon S. Broderick  
United States District Court  
for the Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *Deutsch v. JPMorgan Chase & Co.*, No. 18-cv-11655**

Dear Judge Broderick:

I write on behalf of defendant Chase Bank USA, N.A., now known as JPMorgan Chase Bank, N.A., to respond to plaintiff Michael Deutsch's latest letter to the Court, dated August 26, 2019. This newest letter describes "recently-discovered, additional information ... with respect to the pending motion to dismiss" and promises to submit this evidence "in a more appropriate form, along with a request that it be considered, within a week." Chase objects to this filing and opposes the forthcoming request.

Nothing discussed in this letter bears on the fully briefed motion to dismiss. Deutsch has alleged that he authorized Ayson to use his credit card to purchase Warriors tickets and communicated that he had authorized the ticket purchase directly to Chase over the phone on February 24, 2018, but that he did not know about or give permission to Ayson to complete other ticket purchases between March 7 and March 23, 2018. Compl. ¶¶ 27–29, 36–37, 40, 43. The Court accepts these allegations as true for purposes of the motion to dismiss, so whatever Ayson purportedly told the FBI at his arrest is irrelevant. And, for reasons Chase has explained, these allegations do not state a claim under TILA, the parties' contract, or any other cause of action.

Respectfully submitted,

/s/ Alan E. Schoenfeld

Alan E. Schoenfeld

cc: All counsel of record (by ECF)